

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANGELA NAILS,

Plaintiff,

Case No. 2:17-cv-13702

Magistrate Judge Anthony P. Patti

v.

RPI-SECTION 8 HOUSING,

Defendant.

**ORDER (1) CONSTRUING PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT HEARING (DE 15) AS A MOTION TO STRIKE
DEFENDANT'S ANSWER AND AFFIRMATIVE DEFENSES AND
DENYING THE MOTION; (2) GRANTING IN PART AND DENYING IN
PART PLAINTIFF'S MOTION OF THE STATUSE [sic] OF DOCUMENTS
ENTER (DE 26); AND (3) ENTERING A SCHEDULING ORDER**

This matter came before the Court for consideration of Plaintiff's motion for summary judgment hearing (DE 15), Defendant's response (DE 22), and Plaintiff's motion for the statuse [sic] of documents enter. (DE 26.) The parties have consented to my authority. (DE 20.)

Plaintiff Angela Nails and counsel for Defendant RPI Management Inc. came before me for a hearing on November 8, 2018. For the reasons stated on the record, the Court construes Plaintiff's motion for summary judgment hearing (DE 15) as a motion to strike Defendant's answer and affirmative defenses, and the motion is **DENIED**.

Further, Plaintiff's motion of the statute [sic] of documents enter (DE 26) is **GRANTED IN PART AND DENIED IN PART** for the reasons stated on the record. Specifically, to the extent this motion is construed as a motion for summary judgment, it is **DENIED** as unsupported. To the extent this motion seeks a status conference, it is **GRANTED** and a status and scheduling conference was held, as a result of which the following scheduling order is entered:

| YOU MAY RECEIVE NO FURTHER NOTICE OF THESE DATES | |
|---|-------------------------------------|
| Amendments to Pleadings/Joinder of Parties (without leave of court) | December 10, 2018 |
| Discovery deadline | February 6, 2019 |
| Status conference | February 20, 2019 at 10 a.m. |

The dates above and the procedures outlined in this Order are to be followed unless otherwise ordered by the Court.

- I. Computation of time under this order and under any notice of any scheduling order or notice in this cause shall be in conformity and accordance with Federal Rule of Civil Procedure 6(a).
- II. **DISCOVERY.** This Court will not order discovery to take place after the discovery cutoff date.
 - A. Parties may agree to extend the deadlines by submitting a joint motion with a proposed order to the Court for consideration. The extension should not affect the other scheduled dates.
 - B. If the parties believe it is necessary to file any motions relating to discovery, they are directed to refer to Judge Patti's Discovery

practice guideline, which can be accessed at <https://www.mied.uscourts.gov/index.cfm?pageFunction=chambers&judgeid=51>. Parties are required to comply with the requirements set out in the practice guidelines.

- C. The Court advises the parties that the discovery completion date requires that discovery requests be made sufficiently in advance to permit timely response within the discovery period. The Court further advises that motions relating to discovery, if any, shall be filed within the discovery period unless it is impossible or impracticable to do so.

Throughout the litigation process, the parties are required to follow the Federal Rules of Civil Procedure and the Eastern District of Michigan Local Rules, which can be accessed, along with additional help for *pro se* litigants, at <https://www.mied.uscourts.gov/index.cfm?pageFunction=proSe>. In addition, the parties must refer to and follow my practice guidelines, available at <https://www.mied.uscourts.gov/index.cfm?pageFunction=chambers&judgeid=51>.

In particular, I direct the parties' attention to the practice guidelines titled "Discovery" and "Motion Practice."

SPECIAL INSTRUCTIONS FOR *PRO SE* LITIGANTS

All parties, regardless of whether they are represented by counsel, are expected to abide by the rules and guidelines identified above. No one in the Courthouse can provide you with legal advice, including Judge Patti, his staff, Clerk's Office staff, or another party's attorney. If you need the assistance of any attorney, you must retain one on your own. Plaintiff is again reminded that there is

a federal *pro se* legal assistance clinic operated in the Courthouse by the University of Detroit-Mercy Law School. To determine if you are eligible for assistance, you may contact the Federal *Pro Se* Legal Assistance Clinic at (313) 234-2690 or at proseclinic@udmercy.edu.

IT IS SO ORDERED.

Dated: November 9, 2018

s/*Anthony P. Patti*

Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on November 9, 2018, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the
Honorable Anthony P. Patti